

KOREAN WAR MEMORIAL

FEBRUARY 22 (legislative day, FEBRUARY 15), 1988.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S.J. Res. 225]

The Committee on Energy and Natural Resources, to which was referred the joint resolution (S.J. Res. 225) approving the location of the Korean War Memorial, having considered the same, reports favorably thereon without amendment and recommends that the joint resolution do pass.

PURPOSE OF THE MEASURE

The purpose of Senate Joint Resolution 225 is to approve the recommendation of the Secretary of the Interior to locate the Korean War Memorial in Area I, the lands associated with the District of Columbia's central monumental core as defined by Public Law 99-652.

BACKGROUND AND NEED

Last year, the Congress enacted Public Law 99-652, an act to provide standards for placement of commemorative works on certain Federal lands in the District of Columbia and its environs. This legislation set forth specific standards and criteria for the authorization, siting and design of memorials on Federal in the District.

In most instances, memorials are authorized by the Congress to be constructed on Federal lands in the District without specific reference to where in the District they are to be located. That decision is made later by the Secretary of the Interior or the Administrator of the General Services Administration, as appropriate, using the criteria outlined in Public Law 99-652, and in consultation with the National Capital Memorial Commission.

The legislation specifies that the Secretary or the Administrator can agree to locate commemorative works in "Area I" only if the subject of such work is found to be of "preeminent historical and lasting significance to the Nation." Area I includes the city's central monumental core: the Mall, the Ellipse, the Washington Monument Grounds, West Potomac Park, Theodore Roosevelt Island and Lady Bird Johnson Park.

Should the Secretary or the administrator make such a finding, there is an additional step. That recommendation must be submitted to the Congress for approval. Unless the Congress enacts legislation within 150 days concurring in such a determination, the Secretary's recommendation is deemed disapproved. This procedure for Congressional approval was included in recognition of the fact that sites in Area I are rapidly disappearing and that decisions to site memorials in this area should receive special review from the Congress.

On November 18, 1987, the Secretary transmitted such a recommendation to the Congress regarding the Korean War Memorial. The Secretary, with the concurrence of the National Capital Memorial Commission, has determined that this commemorative work, authorized in the 99th Congress, be located in Area I. Further decisions about the specific design and location of the memorial within Area I will be made at a later date by the National Capital Memorial Commission, the Commission of Fine Arts, the National Capital Planning Commission, and the Secretary of the Interior.

Senate Journal Resolution 225 provides congressional approval of this decision by the Secretary.

LEGISLATIVE HISTORY

Senate Joint Resolution 225 was introduced, by request on December 2, 1987. No hearing has been held on the Secretary's Area I recommendation; however, a hearing was held during the 99th Congress on the authorizing legislation for the Korean War Memorial.

At a business meeting on February 17, 1988, the Senate Committee on Energy and Natural Resources ordered Senate Joint Resolution 225 favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on February 17, 1988, by unanimous voice vote of a quorum present, recommends that the Senate pass Senate Joint Resolution 225, as described herein.

COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the report is available, the Chairman will request it to be printed in the CONGRESSIONAL RECORD for the advice of the Senate.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out Senate Joint Resolution 225. The resolution is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of Senate Joint Resolution 225, as reported.

EXECUTIVE COMMUNICATIONS

The pertinent legislative report received by the Committee from the Department of the Interior setting forth executive agency recommendations relating to Senate Joint Resolution 225 is set forth below:

THE SECRETARY OF THE INTERIOR,
Washington, DC, November 10, 1987.

HON. GEORGE BUSH,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: The Act approved October 28, 1986 (100 Stat. 3226), authorizes The American Battle Monuments Commission to establish a memorial on Federal land in the District of Columbia and its environs to honor members of the Armed Forces of the United States who served in the Korean War, particularly those who were killed in action, are still listed as missing in action, or were held as prisoners of war.

The American Battle Monuments Commission has proposed that the memorial be located in Area I, the area comprising the central monumental core of the District of Columbia and its environs, which is defined by the Act approved November 14, 1986 (100 Stat. 3650). Section 6(a) of the Act provides that the Secretary of the Interior may approve the location of a commemorative work in Area I only if he finds that the subject of the work is of preeminent historical and lasting significance to the Nation. That section further provides that the Secretary, after consultation with the National Capital Memorial Commission, shall notify the Congress of his determination that a commemorative work should be located in Area I; and the location in Area I shall be deemed disapproved unless within 150 days of the notification it is approved by law.

At its third meeting, on April 23, 1987, the National Capital Memorial Commission recommended to me that the Korean War Memorial be located in Area I. Because this proposed memorial represents the sacrifices and the achievements of the American Armed Forces in the Korean War, I find the subject to be of preeminent historical and lasting significance to the Nation, and I have determined that the Korean War Memorial, authorized by the Act approved October 28, 1986, should be located in Area I.

In accordance with Section 6(a) of the Act approved November 14, 1986 (100 Stat. 3650, 3651), notice is hereby given that I have approved the location of this proposed memorial in Area I, that through my designee I have consulted with the National Capital Memorial Commission, and that I have determined that the memorial should be located in Area I. Under Section 6(a) of that Act the location in Area I shall be deemed disapproved unless, not later than 150 days after this notification, the location is approved by law.

Enclosed is a draft of a joint resolution which, if enacted within 150 days, would have the effect of approving the location of this memorial in Area I. We recommend that it be referred to the appropriate committee for consideration and we recommend its timely enactment.

The Office of Management and Budget had advised that there is no objection to the enactment of the enclosed draft joint resolution from the standpoint of the Administration's program.

Sincerely,

DONALD PAUL HODEL.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the resolution, Senate Joint Resolution 225, as reported.

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